



GENERAL ASSEMBLY

COMMONWEALTH OF KENTUCKY

2012 REGULAR SESSION

SENATE BILL NO. 90

WEDNESDAY, FEBRUARY 15, 2012

The following bill was reported to the House from the Senate and ordered to be printed.

RECEIVED AND FILED
DATE April 9, 2012
3:54 p.m.
ALISON LUNDERGAN GRIMES
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY
BY Mary Sue Helm

1 AN ACT relating to unclaimed funds in the possession of jailers.

2 *Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

3 ➔SECTION 1. A NEW SECTION OF KRS CHAPTER 441 IS CREATED TO
4 READ AS FOLLOWS:

5 (1) For any moneys in an inmate account or prisoner canteen account of a jail that
6 are not returned to a prisoner at the time he or she is released from the jail, the
7 jailer shall transmit a check for the balance of the moneys by first class mail to
8 the released prisoner at his or her last known address. If the check is returned as
9 undeliverable, then the jailer shall attempt to contact the prisoner at a telephone
10 number on file, if any, to arrange the return of the moneys. If the moneys are not
11 claimed after the jailer fulfills the requirements of this subsection, the moneys
12 shall be presumed abandoned after one (1) year after the date the check is mailed
13 or if an attempt to call is made, the date of the phone call.

14 (2) Any abandoned moneys as set out in subsection (1) of this section shall, if in a
15 prisoner account, be transferred into the canteen account, if these are two (2)
16 different accounts, or shall remain in the canteen account and be available for
17 the purposes set out in KRS 441.135.

18 ➔Section 2. KRS 393.010 is amended to read as follows:

19 (1) As used in this chapter, unless the context requires otherwise:

20 (a) "Banking organization" means any bank, trust company, savings bank,
21 industrial bank, land bank, safe deposit company, or a private banker engaged
22 in business in this state;

23 (b) "Business association" means any corporation, joint stock company, business
24 trust partnership, or any association for business purposes of two (2) or more
25 individuals;

26 (c) "Financial organization" means any savings and loan association, building and
27 loan association, credit union, cooperative bank, or investment company,

1 engaged in business in this state;

2 (d) "Life insurance corporation" means any corporation or association transacting
3 within this state the business of insurance on the lives of persons or insurance
4 appertaining thereto, including, but not by way of limitation, endowments and
5 annuities;

6 (e) "Claim" means to demand payment or surrender of property from the person
7 whose duty it is to pay the claimant, or surrender to him the property involved;

8 (f) "Treasurer" means the State Treasurer;

9 (g) "Department" means the Department of the Treasury;

10 (h) "Person" means any individual, state or national bank, partnership, joint stock
11 company, business, trust, association, corporation, or other form of business
12 enterprise, including a receiver, trustee, or liquidating agent; and

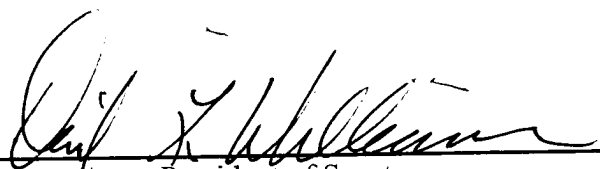
13 (i) "Abandoned property fund" means the fund in which moneys are placed that
14 are paid to the department pursuant to this chapter.

15 (2) (a) This chapter does not apply to money, funds, or any other property held by or
16 owing to any nonprofit, Internal Revenue Code Section 501(c)(3), tax-exempt
17 hospital, or to bonds of counties, cities, school districts, or other tax-levying
18 subdivisions of this state or to any money, funds, or other intangible property
19 at any time held or owing for any minerals or other raw materials capable of
20 being used for fuel in the course of manufacturing, processing, production, or
21 mining, or to wages or salaries of fifty dollars (\$50) or less that are not
22 claimed by an employee within one (1) year of the date the wages or salaries
23 were earned.

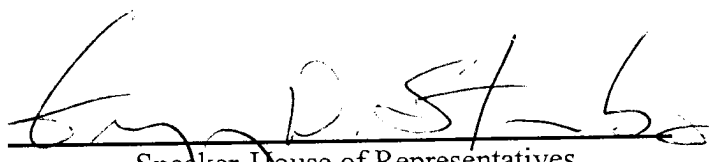
24 (b) This chapter does not apply to abandoned moneys in inmate accounts and
25 prisoner canteen accounts held by jailers as set out in Section 1 of this Act.

26 (c) The provisions of this subsection shall be effective retroactively to all such
27 moneys, funds, or other intangible property held or owing by any person on

1 June 1, 1960, or thereafter.




President of Senate



Speaker-House of Representatives

Attest:



Chief Clerk of Senate

Approved



Governor

Date

4-9-12